

67-CR-89

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Charles Dunn (Ct. Appt.)  
1754 Utica Square  
Tulsa, Oklahoma

1-17-68 Motion (letter) for reduction of sentence under Rule 35, filed. e  
1-17-68 Order modifying judgment and sentence, \*\*\*. "It is adjudged that  
the defendant is hereby committed to the custody of the Attorney  
General or his authorized representative for a period of two (2)  
years." AEB-J) filed and entered. ds (copy mailed to warden, El R  
Reformatory.

DATE	PROCEEDINGS

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER  
(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.  
(Address)

COMMISSIONER'S  
DOCKET No. 1 CASE No. 267  
THE UNITED STATES  
vs.

WILLIAM CLARENCE TUCKER, (18)

CLARENCE JUNIOR BURKE, (18)

JAMES EARL LEWIS (19)

Complaint filed on July 8, 1967, by Robert T. Robison,  
Official title S/A, FBI, charging violation of  
United States Code, Title 18, Section 1992, on 7-7-67  
19, at 3 mi. W. of Kellyville, the  
division of the Northern district of Oklahoma,  
as follows: wilfully attempt to damage or render un-  
safe or unusable railroad prop. or facilities with  
intent to derail, disable, or wreck railroad roll-  
ing stock engaged in interstate commerce, being  
St. Louis, San Francisco R.R. Co, Train # 437.  
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 7-8-67 Warrant/Summons for Above defendants.

to (name and title of officer) To U.S. Marshal or Any Authorized U.S. Officer  
Substance of return Arrested by: Harry Connolly, U.S.D.M.

Date Warrant/Summons for

to (name and title of officer)  
Substance of return

NOBLE C. HOOD

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Ballenger, Clerk, U. S. District Court

Date July 8, 1967 Arrested by Harry Connolly, U.S. D.M. { on warrant of Benjamin B. Ballenger  
U.S. Commissioner.  
without warrant.

Appearances { for United States (Name) (Address)  
for accused (Name) (Address)

Proceedings taken Above defendant's presented, advised of charge filed against him,

and all of them. They were advised of their constitutional rights as to coun-

sel and a preliminary hearing. Each def't. WAIVED counsel for the purpose of  
if that is the fact; any adjournments taken, etc.

this hearing and signed WAIVER. Preliminary hearing requested and set for  
7-14-67 @ 9:00 A.M. Deft's. advised bond fixed at \$2,500.00 -Surety bond- for  
each of them. Upon failure to post bond each def't. remanded to custody of  
U.S. Marshal.

Outcome.

Bail fixed July 8, 1967. Amount, \$2,500.00 each. Bonded, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to Custody of U.S. Marshal  
on 7-8-67, 19.

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
 at request of (name of party) \_\_\_\_\_  
 Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date July 19, 1967 Appearances for

{	United States	(Name)	<u>Hubert Bryant, Ass't. U.S.</u>
		(Address)	<u>D.A., Tulsa, Oklahoma</u>
	Accused	(Name)	<u>Dennis J. Downing, Atty.</u>
		(Address)	<u>Tulsa, Okla. ( Ct. Apptd.)</u>

WITNESSES FOR UNITED STATES:

(List names and addresses)

J. Robinson Field, \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

WITNESSES FOR ACCUSED:

(List names and addresses)

None., \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_.

Proceedings taken Preliminary hearing held. Defendant's present and re-  
 presented by Counsel. Defendant's advised of constitutional rights. Govern-  
 ment witness sworn and examined. Probable cause found and defendant's held  
 for Court Action. Bonds to remain the same \$2,500.00 each. ( Surety bonds)  
 Upon their failure to post bond they were remanded to custody of U.S. Marshal.

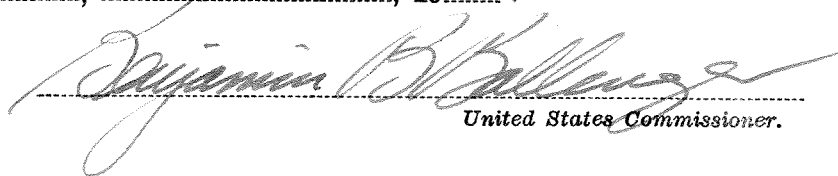
Outcome Held For Court Action. ( each)

Bail fixed July 8th, 1967. Amount, \$2,500. each Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_, 19\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to Custody of U.S. Marshal  
 on July 19th, 1967

Certified to be a correct transcript.

Made this 19th day of July, 1967

Transmitted to Clerk of United States District Court for the Northern  
 district of Oklahoma July 19th, 1967

  
 United States Commissioner.